

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

RICHARD ANDRE, Individually
and on Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

SMILEDIRECTCLUB, INC.,
DAVID KATZMAN, KYLE
WAILES, STEVEN KATZMAN,
JORDAN KATZMAN,
ALEXANDER FENKELL,
RICHARD SCHNALL, SUSAN
GREENSPON RAMMELT, J.P.
MORGAN SECURITIES, LLC.,
CITIGROUP GLOBAL
MARKETS INC., BOFA
SECURITIES, INC., JEFFERIES
LLC, UBS SECURITIES LLC,
CREDIT SUISSE SECURITIES
(USA) LLC, GUGGENHEIM
SECURITIES, LLC, STIFEL,
NICOLAUS & COMPANY,
INCORPORATED, WILLIAM
BLAIR & COMPANY, L.L.C.,
and LOOP CAPITAL MARKETS
LLC,

Defendants.

Case No. 19-cv-12883

Hon. Victoria A. Roberts

Magistrate Judge Anthony P. Patti

**STIPULATION AND ORDER TO TRANSFER VENUE
TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF TENNESSEE PURSUANT TO 28 U.S.C. 1404(A)**

This is a putative securities class action arising out of Defendant SmileDirectClub, Inc.'s initial public offering.

Related putative securities class actions are also pending in the Southern District of New York, captioned *Ginsberg v. SmileDirectClub, Inc.*, No. 19-cv-9794, and in the Middle District of Tennessee, captioned *Franchi v. SmileDirectClub, Inc.*, No. 19-cv-962.

SmileDirectClub, Inc. is headquartered in Nashville, Tennessee.

This Action and the *Ginsberg* action could have been brought in the Middle District of Tennessee under 28 U.S.C. § 1391(b)(1).

For the convenience of the parties and witnesses and in the interest of justice, all parties have agreed that this Action and the *Ginsberg* action should be transferred to the Middle District of Tennessee to be consolidated with the *Franchi* action.

IT IS STIPULATED by the undersigned counsel for the respective Parties, subject to the Court's approval, that:

1. This Action be transferred to the Middle District of Tennessee pursuant to 28 U.S.C. § 1404.
2. Upon transfer, the Parties will promptly seek and stipulate to consolidation of this Action with the *Franchi* action under Rule 42(a) of the Federal Rules of Civil Procedure.

3. Defendants' time to answer, move to dismiss or otherwise respond to the existing Complaint in this Action is stayed pending appointment of a lead plaintiff and lead counsel in the consolidated action, pursuant to the Private Securities Litigation Reform Act, and the filing of a consolidated amended complaint.

IT IS ORDERED.

Dated: November 18, 2019

s/ Victoria A. Roberts

HONORABLE VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Stipulated and Agreed to by:

THE MILLER LAW FIRM, P.C.

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Dated: November 15, 2019

**MILLER, CANFIELD, PADDOCK,
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